

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Enron Energy Services, Inc. and Enron Energy
Marketing Corp.,

Complainants,

vs.

Pacific Gas and Electric Company,

Defendant.

Case 01-01-032
(Filed January 19, 2001)

Enron Energy Services, Inc. and Enron Energy
Marketing Corp.,

Complainants,

vs.

Pacific Gas and Electric Company,

Defendant.

Case 01-09-011
(Filed September 6, 2001)

**ASSIGNED COMMISSIONER'S RULING SETTING HEARING
REGARDING THE PARTIES' REQUEST FOR DISMISSAL**

These two cases involve billing disputes and tariff interpretation.¹ On April 28, 2004, Complainants and Defendant filed a request for dismissal of these two cases asserting that they have reached a settlement agreement resolving the issues presented. They request that the amount Complainants have deposited with the Commission, approximately \$21,843,000, be refunded to Complainants.

The material presented by the parties in support of their request for dismissal does not provide sufficient information for me to determine if the dismissal is in the public interest. I am particularly concerned that the settlement does not violate Pub. Util. Code §§ 453(a) and 532.

Now, therefore, good cause appearing, **IT IS RULED** that a hearing is set for September 21, 2004, at 11 a.m., in the Commission Courtroom, State Building, 505 Van Ness Avenue, San Francisco, California, at which time the parties shall present their settlement and show how the settlement resolves the issues raised in Case (C.) 01-01-032 and C.01-09-011 and is in compliance with the Public Utilities Code.

Dated August 12, 2004, at San Francisco, California.

/s/ CARL WOOD
Carl Wood
Assigned Commissioner

¹ In reviewing the file in Case (C.) 01-09-011, I find that Defendant failed to answer; Defendant did file an answer in C.01-01-032.

C.01-01-032, C.01-09-011 CXW/RAB/hkr

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Assigned Commissioner's Ruling Setting Hearing Regarding the Parties' Request for Dismissal on all parties of record in this proceeding or their attorneys of record.

Dated August 12, 2004, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.